

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

CARLOS GARCIA-PEREZ, ET ALS

Plaintiffs

v.

ALVARO SANTAELLA, M.D., ET ALS

Defendants

CIVIL NO. 97-1703(JAG)

**MOTION REQUESTING CLARIFICATION OF
“MAGISTRATE-JUDGE’S REPORT AND RECOMMENDATION ON JUDICIAL
AUTHORIZATION OF MINOR SETTLEMENT CLAIM”**

TO THE HONORABLE COURT:

COMES NOW, Plaintiff, Carlos A. García Pérez, and respectfully states and prays:

1. On July 7, 2005, representatives of UBS Financial Services Incorporated of Puerto Rico and plaintiff Carlos A. García Pérez appeared in Court seeking judicial authorization for creating a trust, transfer the settlement amount awarded to minor Carla Isabel to said fund and other related matters.

2. The report and recommendation on the hearing was issued on July 15, 2005 and entered in the docket on July 18, 2005.

3. This motion is for the purpose of seeking clarification as to paragraph #2 of the second page of the report and recommendation which states as follows:

“The trustee will make the final decisions and investments, which will be subject to quarterly reviews and supervision to ensure that the financial objects of the trust are met.”

4. The undersigned, very respectfully submits to this Honorable Court that the ruling of the Magistrate during the hearing was that the parents will make the financial decisions and investments with the approval of the trustee and that the investments will be subject to quarterly reviews and supervision to ensure the financial objectives of the trust.

WHEREFORE, it is respectfully requested that the report and recommendation of the Honorable Magistrate be amended as provided in this motion.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this day of July, 2005.

I HEREBY CERTIFY that a true and exact copy of the foregoing motion has been electronically filed using the CM/ECF system, which will send notification of such filing to the following: Andrés Guillemard, Esq., and Claudio D. Ballester.

S/CARLOS A. GARCIA PEREZ ESQ.
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